

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HARRIS LEE WINNS,
Plaintiff,

v.

EXELA ENTERPRISE SOLUTIONS INC,
Defendant.

Case No. [20-cv-06762-YGR](#) (JSC)

**NOTICE AND ORDER REGARDING
VIDEO SETTLEMENT CONFERENCE**

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter was referred to Magistrate Judge Jacqueline Scott Corley for settlement purposes.

1. The Court will hold a Zoom Video Settlement Conference with counsel and the parties on **May 17, 2021, at 10:30 a.m.** The Settlement Conference may be accessed using the following Zoom meeting information:

Meeting ID: 160 069 6279 **Passcode:** 019639

2. The Settlement Conference is confidential and shall not be recorded, by video, audio or otherwise, and each Settlement Conference participant is responsible for ensuring that no unauthorized person can view or hear the Settlement Conference while it is occurring.
3. Counsel shall ensure that whatever discovery is needed for all sides to evaluate the case for settlement purposes is completed by the date of the Settlement Conference. Counsel shall cooperate in providing discovery informally and expeditiously.
4. Lead trial counsel shall appear by video at the Settlement Conference with the parties also by video. Any party who is not a natural person shall be represented by the person(s)

1 with **unlimited** authority to negotiate a settlement. An insured party shall appear with a
2 representative of the carrier with full authority to negotiate up to the limits of coverage. A person
3 who needs to call another person not present before agreeing to any settlement does not have full
4 authority.

5 5. Personal attendance of a party representative will rarely be excused by the Court.
6 To seek to excuse a party from personally attending a settlement conference, counsel for that
7 party shall meet and confer with counsel for all other parties to determine if there are any
8 objections to the moving party's absence. Counsel must then email a letter to the Court
9 (JSCsettlement@cand.uscourts.gov), with copies to all parties, seeking to excuse the party's
10 participation. The letter shall recite the reasons for seeking the party's absence, as well as
11 whether the other parties agree or object to the request and the reasons for any objection. The
12 application to excuse a party must be lodged no later than the lodging of the Settlement
13 Conference Statement.

14 6. Each party shall prepare a Settlement Conference Statement, which must be
15 emailed in .pdf format to JSCsettlement@cand.uscourts.gov at least one week before the
16 Settlement Conference.

17 7. The Settlement Conference Statement shall be served on opposing counsel. Any
18 party may submit an additional confidential statement to the Court. The contents of this
19 confidential statement will not be disclosed to the other parties.

20 8. The Settlement Conference Statement shall include at least the following:

- 21 a. A brief statement of the facts of the case.
- 22 b. A brief statement of the claims and defenses including, but not limited
23 to, statutory or other grounds upon which the claims are founded, and a
24 candid evaluation of the parties' likelihood of prevailing on the claims
25 and defenses; and a description of the major issues in dispute.
- 26 c. A summary of the proceedings to date and any pending motions.
- 27 d. The relief sought.
- 28 e. Any discrete issue that, if resolved, would facilitate the resolution of the

case.

f. The party's position on settlement, including present demands and offers and a history of past settlement discussions.

g. A list of who will attend the settlement conference on behalf of each side, including counsel and insurance representatives.

9. The parties shall notify Chambers immediately at JSCsettlement@cand.uscourts.gov if this case settles prior to the date set for the Settlement Conference.

10. The Court will hold Pre-Settlement Telephone Conference on **April 27, 2021 at 9:30 a.m. (Conference Call Number 1-866-590-5055 Access Code: 8423161)**

IT IS SO ORDERED.

Dated: February 22, 2021


JACQUELINE SCOTT CORLEY
United States Magistrate Judge